

Jon M. Moyers, Wyo. State Bar #6-3661
MOYERS LAW P.C.
490 N. 31 St., Suite 101
Billings, Montana 59101
Telephone: (406) 655-4900
Facsimile: (406) 655-4905
jon@jmoyerslaw.com

Alfred F. Paoli, Jr.
Bogue Paoli & Thomas LLC
1401 17th St., Suite 320
Denver, Colorado 80202
Telephone: (303) 382-1990
Facsimile: (303) 382-1982
fpaoли@bogue-paoli.com

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

ESTATE OF RUSSELL MONACO, BY AND)
THROUGH KATHY MONACO, WRONGFUL)
DEATH REPRESENTATIVE AND)
PERSONAL REPRESENTATIVE, AND)
KATHY MONACO, INDIVIDUALLY AND)
ON BEHALF OF MINOR CHILDREN,)

13-CV-151S

Plaintiffs,

vs.

HARLEY G. MORRELL, PA-C, JOHN)
SCHNEIDER, JR., M.D., NORTHERN)
ROCKIES NEURO-SPINE, P.C., a Wyoming)
Corporation, WEST PARK HOSPITAL)
DISTRICT, WEST PARK HOSPITAL,)
QUORUM HEALTH RESOURCES, LLC, a)
Delaware Corporation, AND JOHN DOES 1)
THROUGH 10,)

Defendants.

PLAINTIFFS' RESPONSE TO DEFENDANT WEST PARK HOSPITAL'S MOTION
FOR PROTECTIVE ORDER

1 COME NOW Plaintiffs Estate of Russell Monaco, by and through Kathy Monaco,
2 Wrongful Death Representative and Personal Representative, and Kathy Monaco, individually
3 and on behalf of her minor children ("Plaintiffs"), by and through their undersigned counsel of
4 record, Jon M. Moyers, Moyers Law P.C., and Fred Paoli, Bogue & Paoli, LLC, and in
5 response to Defendant West Park Hospital's Motion for Protective Order states that, in
6 discussion with defense counsel, Plaintiff subpoenaed redacted patient files related to patients
7 for whom Defendant Schneider and Defendant Morrell prescribed similar drugs to those that
8 caused the death of Russell Monaco. Plaintiffs stipulate that, at this point, they are not seeking
9 patient identifying information. If, upon a review of the redacted records produced by
10 Defendant West Park Hospital Plaintiff believes that the patient identifying information should
11 be disclosed, Plaintiff will move to compel that information then. Counsel for Plaintiffs also
12 reached an agreement with the hospital about the limitations of the document requests, which
13 agreement was accurately described by Mr. Gilbertz in his motion.

14 WHEREFORE, Plaintiffs stipulate and agree for the Court to grant the protective order
15 as requested by Defendant West Park Hospital, without prejudice to Plaintiffs' later request for
16 the information being redacted, and grant the documents request as modified by the parties by
17 agreement.

18 DATED this 16th day of October, 2014.

20 By: /s/ Jon M. Moyers

21 Jon M. Moyers
Wyo. State Bar #6-3661
Attorney for Plaintiffs

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of October, 2014, I electronically filed the foregoing with the Clerk of the Court using CM/ECF System which will send notification of such filing to the following:

Jon M. Moyers jon@jmoyerslaw.com, sherri@jmoyerslaw.com

Alfred F. Paoli fpaoli@bogue-paoli.com, karola@bogue-paoli.com, sbolin@bogue-paoli.com

Corinne E. Rutledge crutledge@lr-law.org, ccalvetti@lr-law.org, jjordan@lr-law.org,
ncarlisle@lr-law.org, pflanigin@lr-law.org

J. Kent Rutledge krutledge@lr-law.org, ccalvetti@lr-law.org, jjordan@lr-law.org,
jkrutledge@msn.com, ncarlisle@lr-law.org, pflanigin@lr-law.org

Stephenson D. Emery semery@wpdn.net, akeller@wpdn.net, mglendenning@wpdn.net,
srocha@wpdn.net

Mackenzie Williams mackenzie.williams@wyo.gov

Erin Arnold Barkley ebarkley@lr-law.org, ccalvetti@lr-law.org, jjordan@lr-law.org,
ncarlisle@lr-law.org, pflanigin@lr-law.org

Jay A Gilbertz jgilbertz@yonkeetoner.com, fisher@yonkeetoner.com,
frontdesk@yonkeetoner.com, kkessner@yonkeetoner.com

I hereby certify that I have mailed by United States Postal Service the document to the following non CM/ECF participants:

No manual recipients.

MOYERS LAW P.C.

By: /s/ Jon M. Moyers

Jon M. Moyers
Wyo. State Bar #6-3661